

WAIVER OF VISAS AND VISA FEES FOR NONIMMIGRANTS

Exchange of notes at The Hague November 12 and 13, 1931

Entered into force January 1, 1932

Suspended during World War II

*Replaced by agreement of January 21, February 11, and March 5
and 13, 1946¹*

Department of State files

The American Minister to the Minister of Foreign Affairs

THE HAGUE, NETHERLANDS

November 12, 1931

No. 77

EXCELLENCY:

With reference to previous correspondence relating to the reciprocal waiver of visas and visa fees, I have the honor to inform Your Excellency that I have been authorized to effect the following agreement, the conclusion of which may appropriately be evidenced by your reply to this Note:

The Government of the United States will, from and after January 1, 1932, waive passport visa fees for all Netherlands subjects, including those who belong to the population of the Netherlands overseas territories, who wish to proceed to the United States, provided that they fulfil the requirements for their admission into that country and that they are not "immigrants" as defined in the Immigration Act of the United States of 1924;² and from the same date the Government of the Netherlands will waive visas for all American citizens and for the American nationals of the territorial and insular possessions of the United States who wish to proceed to the Netherlands; and such American citizens or nationals will be admitted into the Netherlands territory in Europe upon the mere presentation of their valid American passports, provided that they fulfil the further conditions for their admission into this country.

Inasmuch as some doubt exists as to the sovereignty of certain islands claimed by the United States, it is not possible at this time to furnish an exact list of American insular possessions. However, the territorial and principal insular possessions of the United States comprise: The Territory of Alaska (which includes all of the Aleutian Islands east of longitude 167°

¹ TIAS 1728, *post*, p. 178.

² 43 Stat. 153.

east of Greenwich); the Territory of Hawaii (including Midway Islands, Ocean or Kure Island, Johnston or Cornwallis Island, and Palmyra Island); the Philippine Islands; American Samoa (including the island of Tutuila, the Manua Islands, and all other islands of the Samoan group east of longitude 171° west of Greenwich, together with Swains Island); the Island of Guam; Porto Rico; the Virgin Islands of the United States; and the Canal Zone (including the small islands in the Bay of Panama named Perico, Naos, Culebra, and Flamenco). It is believed that the foregoing possessions include, for all practical purposes, all of the inhabited territorial and insular possessions of the United States.

It is understood that under this agreement the Government of the United States and that of the Netherlands retain the right to deport or refuse to admit a citizen or national of the other country who may have shown himself undesirable or dangerous as regards the maintenance of general security or of public order or who for some other reason may be barred from entry or subject to deportation in accordance with the laws of their respective countries.

In view of the fact that for the time being the waiver of Dutch visas will only apply to admission into the Netherlands territory in Europe, I am instructed to express to Your Excellency the earnest hope that the Netherlands Government may find its way to extend the present agreement as soon as possible to American citizens and nationals who wish to proceed to the Netherlands overseas territories, in which case the Government of the United States is ready to waive visa fees for the admission of Netherlands subjects of the non-immigrant class to the above-mentioned territorial and insular possessions of the United States.

I avail myself of this occasion to renew to Your Excellency the assurance of my high consideration.

LAURITS S. SWENSON

His Excellency

Jhr. Mr. F. BEELAERTS VAN BLOKLAND,
Minister for Foreign Affairs,
Etc., Etc., Etc.

The Minister of Foreign Affairs to the American Minister

THE HAGUE
November 13, 1931

No. 36023

MR. MINISTER:

Referring to Your Excellency's Note No. 77 of today's date,³ I have the honor to inform you that Her Majesty's Government has decided to abolish

³ The U.S. note is dated Nov. 12, 1931.

visa requirements from January 1, 1932, for American citizens as well as for the inhabitants of the American insular possessions who are American citizens and who desire to proceed to the Netherlands. They will be admitted in this country on the mere presentation of their valid American passports unless they fail to satisfy the other conditions for the admission of foreigners. The above-mentioned decision applies only to the admission to the territory of the Netherlands in Europe and not to the overseas possessions.

I have taken note of the fact that in view of the foregoing arrangement, the Government of the United States of America has decided to exempt as from January 1, 1932, Netherlands subjects, including those of the Netherlands overseas possessions, who desire to proceed to the United States from the payment of American visa fees, provided they comply with the conditions for the admission of foreigners and provided they are not "immigrants" under the provisions of the "Immigration Act of the United States of America of 1924".

It is understood that in the application of the preceding agreement, the Governments of the Netherlands and the United States reserve to themselves the right to refuse admittance or deport a national of the other country who has shown himself undesirable or dangerous as regards the maintenance of general security or of public order, or who for any reason whatsoever would be refused admission or be subject to deportation in accordance with the laws of their respective countries.

With reference to the desire expressed at the close of Your Excellency's Note mentioned above, I have the honor to inform you that I will not fail to communicate it to the Minister of the Colonies at the earliest possible moment.

In expressing to Your Excellency the hope that the exchange of views will bring satisfactory results and reserving a further communication on this subject, I beg Your Excellency to accept the assurance of my high consideration.

BEELAERTS VAN BLOKLAND

His Excellency

LAURITS S. SWENSON,

*Envoy Extraordinary and Minister Plenipotentiary
of the United States of America.*